

Hearing Date: February 16, 2012

Hearing Time: 10:00 a.m. (prevailing Eastern time)

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
	:	
DPH HOLDINGS CORP., <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
Reorganized Debtors.	:	(Jointly Administered)
	:	
-----X	:	

PROPOSED SEVENTY-FOURTH OMNIBUS HEARING AGENDA

Location Of Hearing: United States Bankruptcy Court for the Southern District of New York,
300 Quarropas Street, Room 118, White Plains, New York 10601-4140

The matters set for hearing are divided into the following categories for the purposes of this Proposed Seventy-Fourth Omnibus Hearing Agenda:

- A. Introduction
- B. Continued Or Adjourned Matters (1 Matter)
- C. Uncontested, Agreed, Withdrawn, Or Settled Matters (3 Matters)
- D. Contested Matters (2 Matters)
- E. Adversary Proceedings (1 Matter)

A. Introduction

B. Continued Or Adjourned Matters*

1. **"Motion by Reorganized Debtors To Enforce Plan Injunction Against Oldco Trustee"**-- Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim (Docket No. 21556)

Responses filed: None.

Replies filed: None.

Related filings: Notice Of Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim ("Oldco Trustee Injunction Motion") [re: Docket No. 21556] (Docket No. 21557)

[Proposed] Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To

* The motion found at the following docket number that appeared on a previous Proposed Omnibus Hearing Agenda has been voluntarily withdrawn from the agenda and would need to be re-noticed under the Supplemental Order Under 11 U.S.C. §§ 102(1) And 105 And Fed. R. Bankr. P. 2002(m), 9006, 9007, And 9014 Establishing Omnibus Hearing Dates And Certain Notice, Case Management, And Administrative Procedures, entered March 17, 2006 (Docket No. 2883), to be reinstated on a future Proposed Omnibus Hearing Agenda: Methode Electronics, Inc.'s Setoff Motion [Docket No. 4912].

Recover Discharged Claim ("Oldco Trustee Injunction Order") (Docket No. 21558)

Certificate Of Service Of Thomas B. Radom Re: 1) Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim ("Oldco Trustee Injunction Motion") [Docket No. 21556]; 2) Notice Of Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim ("Oldco Trustee Injunction Order") (re: Docket No. 21556) [Docket No. 21557]; And 3) Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim ("Oldco Trustee Injunction Order") [Docket No. 21558] (Docket No. 21559)

Amended Certificate Of Service Of Thomas B. Radom Re: 1) Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim ("Oldco Trustee Injunction Motion") [Docket No. 21556]; 2) Notice Of Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim ("Oldco Trustee Injunction Motion") (re: Docket No. 21556) [Docket No. 21557]; And 3) [Proposed] Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim ("Oldco Trustee Injunction Order") [Docket No. 21558] (Docket No. 21561)

Declaration Of Dean R. Unrue, Claims Administrator, In Support Of Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan

And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim [re: Docket No. 21556] (Docket No. 21562)

Letter Filed By Tina N. Moss On Behalf Of Executive Sounding Board Associates Inc., As Trustee For The Oldco M Distribution Trust [Re: Docket No. 21556] (Docket No. 21568)

Notice Of Adjourned Hearing On Reorganized Debtors' Motion For Order (I) Enforcing Modification Procedures Order, Modified Plan And Plan Modification Order Injunctions Against Trustee For The Oldco M Distribution Trust, And (II) Directing Trustee To Dismiss Action To Recover Discharged Claim (Docket No. 21578)

Notice Of Change Of Time Of Seventy-Second Omnibus Hearing And Fiftieth Claims Hearing (Docket No. 21690)

Notice Of Rescheduling Of Seventy-Fourth Omnibus Hearing And Fifty-Second Claims Hearing (Docket No. 21800)

Status: This matter has been adjourned pursuant to an agreement between the parties.

C. Uncontested, Agreed, Withdrawn, Or Settled Matters

2. **"Motion by Swynson Limited, As Assignee Of evo Medical Solutions, Inc., For Order Compelling Binding Arbitration"** -- Motion For Order Determining That Swynson Limited, Assignee Of evo Medical Solutions, Inc., May Pursue Binding Arbitration (Docket No. 21734)

Responses filed: None.

Replies filed: None.

Related filings: Notice Of Adjournment Of Hearing On Motion For Order Determining That Swynson Limited, Assignee Of evo Medical Solutions, Inc., May Pursue Binding Arbitration (Docket No. 21759)

Notice Of Withdrawal Of Motion For Order Determining That Swynson Limited, Assignee Of evo Medical Solutions, Inc., May Pursue Binding Arbitration (Docket No. 21781)

Notice Of Rescheduling Of Seventy-Fourth Omnibus Hearing And Fifty-Second Claims Hearing (Docket No. 21800)

Status: *This matter has been resolved pursuant to the Notice Of Withdrawal Of Motion For Order Determining That Swynson Limited, Assignee Of evo Medical Solutions, Inc., May Pursue Binding Arbitration (Docket No. 21781).*

3. **"Motion by Reorganized Debtors For Sanctions Relating To Averbukhs' Maryland State Court Action"** -- Reorganized Debtors' Motion For Sanctions Relating To Improper Pursuit Of Maryland State Court Action By Averbukhs (Docket No. 21778)

Responses filed: *None.*

Replies filed: *None.*

Related filings: *Notice of Reorganized Debtors' Motion for Sanctions Relating to Improper Pursuit of Maryland State Court Action by Averbukhs (Docket No. 21779)*

Notice Of Rescheduling Of Seventy-Fourth Omnibus Hearing And Fifty-Second Claims Hearing (Docket No. 21800)

Withdrawal of "Reorganized Debtors' Motion for Sanctions Relating to Improper Pursuit of Maryland State Court Action by Averbukhs" (Docket No. 21819)

Status: *This matter has been resolved pursuant to the Withdrawal of "Reorganized Debtors' Motion for Sanctions Relating to Improper Pursuit of Maryland State Court Action by Averbukhs" (Docket No. 21819)*

4. **"Motion by James Grai To Lift Stay"** -- Amended Notice Of Motion, Pursuant To Section 362 Of The Bankruptcy Code, For An Order Modifying The Automatic Stay (Docket No. 21682)

Responses filed: *Response To Letter Submitted By James Michael Grai (Docket No. 21652)*

Response And Limited Objection Of The ACE Companies To The Amended Motion Of James Grai Pursuant To Section 362 Of The Bankruptcy Code To Modify Automatic Stay And Amended Motion For Joinder Of Parties (Docket No. 21708)

Reorganized Debtors' Objection To Amended Notice Of Motion, Pursuant To Section 362 Of The Bankruptcy Code, For An Order Modifying The Automatic Stay And Related Papers (Docket No. 21682)(Docket No. 21710)

Michigan Defendants' Response To Amended Motion For Joinder Of Parties And Amended Motion Of James Grai Pursuant To Section 362 Of The Bankruptcy Code To Modify Automatic Stay (Docket No. 21711)

Supplemental Response To Motion For Joinder Of Parties And Amended Motion By James Grai Pursuant To Section 362 Of The Bankruptcy Code To Modify Automatic Stay (Docket No. 21719)

Replies filed: Reorganized Debtors' Reply And Supplemental Objection To Amended Notice Of Motion, Pursuant To Section 362 Of The Bankruptcy Code, For An Order Modifying The Automatic Stay And Related Papers (Docket No. 21721)

Related filings: Letter Requesting Relief From The Stay So That The State Of Michigan State Worker's Compensation Commission Can Disburse The Allocated Funds To Disabled Workers Filed By James Michael Grai (Docket No. 21574)

Joinder To Lift Automatic Stay (Docket No. 21665)

Defendants Michigan Workers' Compensation Agency's And Michigan Funds Administration's Response To Letter Written By James Michael Grai (Docket No. 21666)

Notice Of Change Of Time Of Seventy-Second Omnibus Hearing And Fiftieth Claims Hearing (Docket No. 21690)

Status: A stipulation will be submitted.

D. Contested Matters

5. **"Motion of The Bank of New York Mellon for Permission to Proceed in the Appropriate Tribunal as Against the Reorganized Debtors"** -- Motion Of The Bank Of New York Mellon, As Indenture Trustee, Paul Feinsilver, James A. Klotz And Terrance O'Grady For Permission To Proceed In The Appropriate Tribunal As Against The Reorganized Debtors (Docket No. 21758)

Responses filed: Reorganized Debtors Objection To Motion Of The Bank Of New York Mellon, As Indenture Trustee, Paul Feinsilver, James A. Klotz And Terrance O'Grady For Permission To Proceed In The Appropriate Tribunal As Against The Reorganized Debtors (Docket No. 21787)

Reorganized Debtors Sur-Reply To Reply Brief In Further Support Of Motion Of The Bank Of New York Mellon, As Indenture Trustee, Paul Feinsilver, James A. Klotz And

Terrance O'Grady For Permission To Proceed In The Appropriate Tribunal As Against The Reorganized Debtors, Or Alternatively, To Direct The Reorganized Debtors To Continue To Make All Payments Of Principal And Interest As An Administrative Claim (Docket No. 21825)

Replies filed: Reply Brief In Further Support Of Motion Of The Bank Of New York Mellon, As Indenture Trustee, Paul Feinsilver, James A. Klotz And Terrance O'Grady For Permission To Proceed In The Appropriate Tribunal As Against The Reorganized Debtors, Or Alternatively, To Direct The Reorganized Debtors To Continue To Make All Payments Of Principal And Interest As An Administrative Claim (Docket No. 21813)

Related filings: Notice Of Rescheduling Of Seventy-Fourth Omnibus Hearing And Fifty-Second Claims Hearing (Docket No. 21800)

Reorganized Debtors' Motion For Order Enforcing Modified Plan And Plan Modification Order Injunctions Against Indenture Trustee With Respect To Certain 1994 Bonds Issued By The County Of Trumbull, Ohio (Docket No. 20795)

Joinder Of Delphi Automotive LLP Regarding Reorganized Debtors' Motion For Order Enforcing Modified Plan And Plan Modification Order Injunctions Against Indenture Trustee With Respect To Certain 1994 Bonds Issued By The County Of Trumbull, Ohio (Docket No. 20835)

Joint Stipulation And Agreed Order Resolving Reorganized Debtors' Motion For Order Enforcing Modified Plan And Plan Modification Order Injunctions Against Indenture Trustee With Respect To Certain 1994 Bonds Issued By The County Of Trumbull, Ohio (Docket No. 20795) (Docket No. 20993)

Status: The hearing with respect to this matter will be proceeding.

6. **"Motion by Ratko Menjak For Relief from Automatic Stay" -- Motion For Relief From Automatic Stay (Docket No. 21760)**

Responses filed: Reorganized Debtors' Response To Motion For Relief From Automatic Stay Filed By Ratko Menjak (Docket No. 21786)

Replies filed: None.

Related filings: Notice Of Rescheduling Of Seventy-Fourth Omnibus Hearing And Fifty-Second Claims Hearing (Docket No. 21800)

Status: *The hearing with respect to this matter will be proceeding.*

E. Adversary Proceedings

7. **"Motion by Michigan Defendants Regarding Lift Stay Order"** -- Motion For Relief From Stay (Joint Motion To Partially Lift Stay Order Pending Appeal) (Ad. Pro. Case No. 09-01510, Docket No. 99)

Responses filed: *None.*

Replies filed: *None.*

Related filings: *Joint Stipulation And Agreed Order Resolving Emergency Motion Of Michigan Workers' Compensation Agency And Michigan Funds Administration Requesting Immediate Consideration Of Motion To Partially Lift Stay Order Pending Appeal (Docket No. Ad. Pro. Case No. 09-01510, Docket No. 100)*

Status: *The hearing with respect has been adjourned to the March 22, 2012 hearing pursuant to the Joint Stipulation And Agreed Order Resolving Emergency Motion Of Michigan Workers' Compensation Agency And Michigan Funds Administration Requesting Immediate Consideration Of Motion To Partially Lift Stay Order Pending Appeal (Docket No. Ad. Pro. Case No. 09-01510, Docket No. 100).*

Dated: New York, New York
February 15, 2012

SKADDEN, ARPS, SLATE, MEAGHER
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